Horsham District Council

Mr Robert Gifford Von Schiller
Sussex Rural Planning
Aberdeen House
South Street
Haywards Heath
West Sussex
RH16 4HN

Application Number: DC/19/0438

TOWN AND COUNTRY PLANNING ACT, 1990 (as amended)
TOWN AND COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

On behalf of: Architectural Plants

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby notify you that they PERMIT the following development, that is to say:

Mixed use of existing horticultural nursery / education centre to allow for weddings and other events

Architectural Plants Limited Stane Street North Heath Pulborough

to be carried out in accordance with Application No. DC/19/0438 submitted to the Council on 26/02/2019 and subject to compliance with the plans/documents and conditions specified hereunder.

Barbara Childs
Director of Place

Date: 23/12/2019

1 **Plans Condition**: The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Site plan		APP-001 REV B	22.02.2019
Supporting Statement	Planning	NONE	22.02.2019
Site plan	Site Overview	APP-001 REV C	22.05.2019

Reason: For the avoidance of doubt and in the interest of proper planning.

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Regulatory Condition**: The site shall only be used as a plant and tree production nursery, with associated sales; and for the furtherance of Horticultural Education in association with Brinsbury Campus; and as a wedding and event venue and for no other purpose unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development accords with the aims of the Brinsbury Centre of Rural Excellence Supplementary Planning Document.

4 **Regulatory Condition**: The car parking area hereby permitted shall provide space for no more than 100 vehicles and lorry parking and turning in association with the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the level of car parking provided is sufficient to serve the development hereby approved in accordance with policies 40 and 41 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition**: No more than 5% of the built area of the nursery shall be used for the sale of horticultural goods other than trees and plants.

Reason: To ensure that the development accords with the aims of the Brinsbury Centre of Rural Excellence Supplementary Planning Document.

6 **Regulatory Condition**: No more than 10 weddings or other events not associated plant and tree production or Horticultural Education shall take place per calendar year, with no more than 2 weddings or other events not associated plant and tree production or Horticultural Education in any single month.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7 **Regulatory Condition**: No amplified music or public address system shall be played within the building except between the hours of 10:00 and 23:30 and shall at no times be played outside of the building.

Reason: To safeguard the amenities of neighbouring properties and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: The wedding and event use hereby permitted shall take place in strict accordance with the details set out in the 'Event Management Plan' submitted 29 April 2019.

Reason: To safeguard the amenities of neighbouring properties and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

9 **Regulatory Condition**: No outdoor fireworks or pyrotechnics shall be used anywhere on the site in connection with the hereby permitted wedding and event use.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition**: No external lighting or floodlighting, other than within the enclosed courtyard area, shall be installed without the permission of the Local Planning Authority by way of formal application.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

11 **Regulatory Condition**: The wedding and event use hereby permitted shall be implemented in accordance with the approved site layout plan (ref: APP-001 Rev C) and shall not include any external marquees.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Note to Applicant:
Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

ADDITIONAL INFORMATION

Planning Permission – Important Provisos
If planning permission has been granted, please note that your Notice of Decision refers only to consideration of your proposal under the Town and Country Planning Acts. It is not a building regulations approval and does not mean that you can disregard other Acts of Regulations, or avoid any other legal obligations. Some of these obligations, of particular relevance to your proposal are referred to elsewhere in this note. Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted. The Building Control Department can be contacted on 01403 215151.

If this permission relates to new dwellings, commercial premises or other buildings which will require a new postal address you should contact the Council's Street Naming & Numbering Department as soon as possible or before work commences on site. Further details are available on the Street Naming page on the Council's website or alternatively e-mail streetnaming@horsham.gov.uk or telephone 01403 215139.

It is the responsibility of the developer to provide bins for the development. If you are a developer and need to purchase bins, please email daniel.raymond@horsham.gov.uk or phone 01403 733144.

It must be stressed that the information included on this Notice of Decision may not include all your legal obligations, and it does not grant you rights to carry out works on or over lands, or to access land that is not within your control or ownership.

Compliance with the Approved Plans and Conditions
The development hereby approved must be implemented in accordance with the approved plans and any conditions set out in the Notice. Some of the conditions may specify that works are to be carried out, and/or details submitted and approved before all or part of the development is started. These will appear in the 'Pre Commencement Conditions' section of the Notice.

If works on implementing this permission is started without these requirements being fully met, the development may be unauthorised and the permission invalidated, and could lead to enforcement proceedings or in some cases to prosecution.

Amendments
Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non material alterations, or under Section 73 of the Act for minor material alterations. An application must be made using the standard application form and you should consult with us, to establish the correct type of application to be made.

Monitoring
Horsham District Council monitors the implementation of planning permissions. Please be aware that monitoring officers may visit the application site at various stages of the development to ensure compliance with the approved plans and conditions.

Conditions Compliance
Requests for confirmation of compliance with conditions associated with that permission should be made in writing or by using the application form 'Approval of Details Reserved by Conditions'.

A request may be for confirmation that one or more conditions imposed on the same permission have been complied with. We aim to respond within 8 weeks of receipt of the request.

Right of Appeals
If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of the decision notice for a householder application or 'minor commercial' (shop front) development, and within 6 months for other types of planning applications. There are different timescale – usually 28 days – if an enforcement notice is/has been served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are at https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries.